



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: January 26, 2006
AGENDA DATE: February 2, 2006
PROJECT ADDRESS: 709 Wentworth Avenue (MST2004-00526)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner *JH*
 Kathleen Kennedy, Assistant Planner *KK*

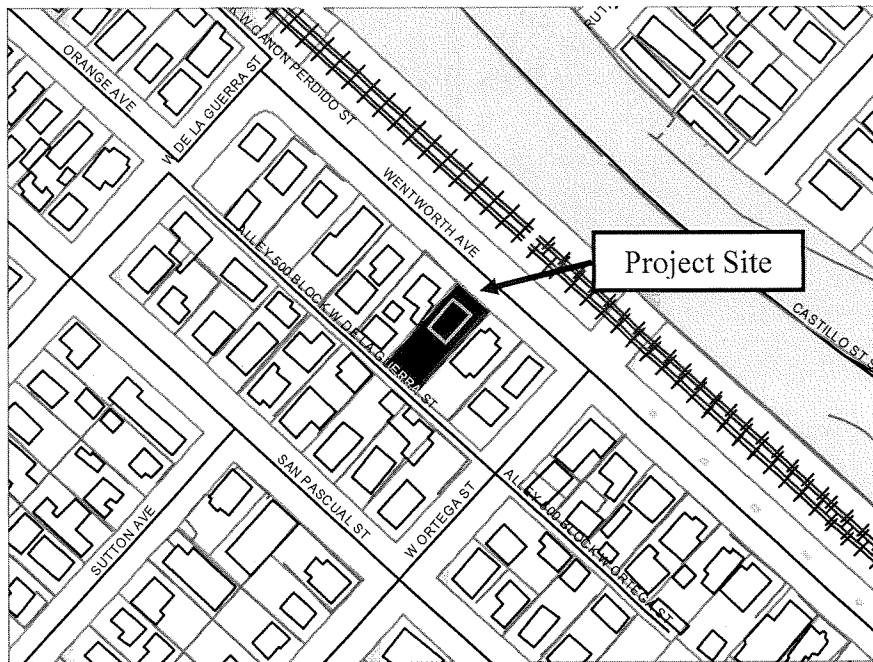
I. SUBJECT

The project consists of a proposal to construct a new two-story, three-unit condominium development with five attached garage spaces totaling 5,010 square feet (gross) on a 6,250 square foot lot. The existing 1,008 square foot, one-story, single-family residence and shed would be removed.

The discretionary applications required for this project are:

1. A Modification to allow a trash and recycling enclosure to encroach into the required rear and interior yard setbacks (SBMC§28.21.060); and
2. Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC§27.07 and 27.13).

DATE APPLICATION ACCEPTED: January 13, 2006
DATE ACTION REQUIRED: April 2, 2006



Vicinity Map for 709 Wentworth Avenue

II. SITE DESCRIPTION

Applicant:	Cliff Hickman Designs
Property Owner:	Bernardo Barragan, Jr., Trustee
Project Address:	709 Wentworth Avenue
Parcel Number:	APN 037-063-009
General Plan:	Residential, 12 units per acre
Zoning:	R-3, Limited Multiple Family Residence
Environmental Assessment:	Exempt per CEQA Guidelines Sections 15301 (demolition of structures) and 15303 (new construction of small structures)
Existing Use:	Single-Family Residence
Proposed Use:	Three Condominium Units
Topography:	1.3 %
Access:	Wentworth Avenue and public alley
Adjacent Land Uses:	
North:	Pedestrian Bridge/ Railroad/ Highway
South:	Public Alley/Residential

East: Residential
West: Residential

III. SITE STATISTICS

LOT AREA: 6,250 square feet (0.14 acres)

LOT COVERAGE:	<u>Existing</u>	<u>Proposed</u>
Building:	1,281 sq. ft. (20%)	2,945.0 sq. ft. (47.1 %)
Paving/Driveway:	1,249 sq. ft. (20%)	766.4 sq. ft. (12.3 %)
Landscaping:	3,720 sq. ft. (60%)	2,536.6 sq. ft. (40.6 %)
	6,250 sq. ft. (100 %)	6,250 sq. ft. (100 %)

UNIT SIZE: Unit 1 (2-bedroom): 1,771.4 sq. ft. (1,351.5 sq. ft. plus 419.9 sq. ft. garage)
Unit 2 (2-bedroom): 1,834.2 sq. ft. (1,433.4 sq. ft. plus 400.8 sq. ft. garage)
Unit 3 (studio): 1,087.9 sq. ft. (850.5 sq. ft. plus 237.4 sq. ft. garage)

OPEN SPACE AREA:

-Required: 625 sq. ft. (10% of lot area)
-Provided: 662.5 sq. ft. (10.6% of lot area)

PRIVATE OUTDOOR LIVING SPACE:

Unit 1:

-Required: 140 square feet
-Provided: 416 square feet

Unit 2:

-Required: 140 square feet
-Provided: 148.3 square feet

Unit 3:

-Required: 100 square feet
-Provided: 128.8 square feet

PARKING:

-Required: 5 spaces
-Provided: 5 garage spaces

IV. PROJECT DESCRIPTION

The project site is a 6,250 square foot, through lot in the R-3, Limited Multiple-Family Residence zone and is currently developed with a 1,008 square foot, one-story, single-family residence with basement, storage shed and an uncovered parking space that is accessed from the public alley. The surrounding neighborhood is developed with a mix of one and two-story single-family and multi-family residences.

The proposal consists of the removal of all existing structures and the construction of a new two-story building consisting of three residential condominium units and five garage spaces for a total of 5,010 square feet (gross). Unit 1 would be a two-bedroom unit located on the first floor with an entry facing Wentworth Avenue and a two-car garage facing the public alley at the rear of the lot. Unit 2 would be a two-bedroom unit with an entry on the first floor along the west side of the building, living space on the second floor and a two-car garage facing Wentworth Avenue. Unit 3 would be a studio unit with an entry on the first floor along the west side of the building, living space on the second floor and a one-car garage facing the public alley.

A new five foot wide sidewalk and a three and one-half foot wide parkway would be installed along Wentworth Avenue. The existing stone pine tree located in the right of way would be removed in order to accommodate the new driveway for Unit 2 and a new Fern Pine street tree (*podocarpus gracilior*) would be planted in the parkway. A portion of the existing sandstone wall would also be removed to accommodate the driveway and the remaining wall would be reinforced with new footings. Other existing sandstone walls located in the back yard would be reused in new hardscape areas of the project.

V. ENVIRONMENTAL REVIEW

Noise: According to the City's Master Environmental Assessment (MEA), the project site is located within the 65-70 dBA (decibels) noise contour, with the primary noise source being the adjacent railroad and highway. During review of the project, an acoustical analysis was required in order to determine whether the project would comply with the City of Santa Barbara requirements regarding noise, including whether the outdoor noise level for the required private outdoor living spaces associated with the residential units could be reduced to under 60 db(A). A report prepared by Davey & Associates dated June 28, 2002, concluded that the noise levels expected to be present at the private outdoor living spaces would be less than 60 db(A). A pedestrian bridge, located across Wentworth Avenue and providing a solid barrier across the front of the project site, shields the neighborhood from some of the railroad and highway noise. The report further states that the second floor balcony of Unit 2, which is on the north side of the parcel and closer to the highway than any of the other private outdoor living spaces, would comply with the City noise requirement when enclosed with a three foot high wall. A condition of approval requiring compliance with the recommendations of the acoustical report is included in the proposed conditions of approval.

Cultural Resources: The City's Master Environmental Assessment showed that the project site is located within the Hispanic-American Transition Period (1850-1870), American Period (1870-1900) and the Early 20th Century (1900-1920) zones. A Phase 1 Archaeological Resources Report dated July 2005, was prepared by Western Points Archaeology and was accepted by the Historic Landmarks Commission. The report did not identify any cultural remains within the proposed site and concluded that no additional archaeological investigations are necessary. A condition of approval addressing unanticipated archaeological resources is recommended for this project and is included in the proposed conditions of approval.

Conclusion: Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Sections 15301 (demolition of structures) and 15303 (new construction of small structures).

VI. ARCHITECTURAL BOARD OF REVIEW (ABR)

The Architectural Board of Review (ABR) reviewed the proposed project on two occasions under MST2001-00790 and two occasions under MST2004-00526. On September 13, 2004, the ABR continued the project indefinitely to the Planning Commission stating that the concerns about mass, bulk and scale had been addressed but that there were still some concerns about the design. The applicant addressed one concern by reducing the balcony overhang at the rear of the building. The applicant states that, when 300 cubic feet of storage was added to each unit, the length of the building increased and it was no longer possible to bring the front porch out beyond the garage as recommended by the ABR. The applicant has decided to proceed with the original front elevation design, and although the ABR comments did not pertain to this elevation, the roof overhang has been increased to deemphasize the garage door. The minutes from the ABR meetings are attached. Preliminary and final approval by the ABR will be required following Planning Commission approval of the project.

VII. ISSUES

A. ZONING ORDINANCE CONSISTENCY

Rear and Interior Yard Setback Modifications: A trash and recycling enclosure, proposed for the southwest corner of the site, would be located in the rear and interior yard setbacks; therefore, a modification is required. The location, adjacent to the public alley, would allow for easy accessibility for trash and recycling pick up.

Residential Condominium Development: With the approval of the setback modifications, the proposed project would meet all of the requirements of the R-3 Zone, and would be consistent with the general City requirements and physical standards for new condominium development, per SBMC §27.13.050 and §27.13.060, respectively. The project would provide the required covered parking, 300 cubic feet of private storage space and laundry facilities for each unit. Each unit would have its own utility meters, and all utilities are proposed to be underground. Each unit would also meet the requirements for private outdoor living space.

B. GENERAL PLAN COMPLIANCE

In order to approve a Tentative Subdivision Map and condominium project, the Planning Commission must find the project to be consistent with the City's General Plan.

Land Use Element: The Land Use Element describes the project site as being located in the Lower West neighborhood of the City, which is bounded on the north by Carrillo Street, on the south by Montecito Street, on the east by Highway 101, and on the west by Loma Alta Drive. The neighborhood is the City's most densely settled residential area with a mix of single-family and multi-family residences.

The General Plan designation for the area is twelve dwelling units to the acre. Residential growth was anticipated to occur in this area through the redevelopment of single-family residential and duplex areas into multiple-unit use. The proposed three-unit condominium project would be consistent with development allowed by the land use designation.

VIII. RECOMMENDATION/FINDINGS

The proposed development is consistent with the Zoning Ordinance and General Plan and complies with applicable standards governing new residential development. Therefore, staff recommends that the Planning Commission make the following findings and approve the project subject to the attached Conditions of Approval (Exhibit A):

A. REAR AND INTERIOR YARD SETBACK MODIFICATIONS (SBMC§28.21.060)

In order for the Planning Commission to approve a modification to allow trash and recycling enclosure to encroach into the rear and interior yard setbacks, it must be found that the modifications are consistent with the purposes and intent of the Zoning Ordinance and that they are necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship, or promote uniformity of improvement.

All new projects in the City are strongly encouraged to provide equal areas for trash and recycling. On small size lots, it is often difficult to position the enclosures out of the setbacks. The location of the proposed enclosure, at the rear of the lot and adjacent to the public alley, would allow for easy accessibility for trash and recycling pick up. In addition, because there are many structures that are currently either built at or close to the property line along the public alley, it would not be incompatible with the neighborhood. Staff finds that the modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

B. TENTATIVE SUBDIVISION MAP FINDINGS (SBMC§27.07.100)

In order for the Planning Commission to approve the tentative subdivision map, it must be found that the proposed development is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development and the density of development. The development is not likely to cause substantial environmental damage or serious public health problems nor conflict with easements, acquired by the public at large, for access through or use of property within the proposed development. Therefore, with the approval of the requested modifications, the proposed tentative subdivision map would be consistent with the General Plan and the Zoning Ordinance.

C. RESIDENTIAL CONDOMINIUM DEVELOPMENT (SBMC§27.13.080)

The proposed project is in compliance with all provisions of the City's Residential Condominium Ordinance, is consistent with the General Plan of the City of Santa Barbara, is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.

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Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter dated November 16, 2005
- D. Architectural Board of Review Minutes
- E. Acoustical Analysis Report by Davey & Associates

PLANNING COMMISSION CONDITIONS OF APPROVAL

709 WENTWORTH AVENUE
MODIFICATION AND TENTATIVE SUBDIVISION MAP
FEBRUARY 2, 2006

In consideration of the project approval granted by the Planning Commission and for the benefit of the owners and occupants of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be documented in a written instrument titled, "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed and approved as to form and content by the City Attorney, Community Development Director and/or Public Works Director, executed by the Owner and recorded with the Parcel Map in the Office of the County Recorder:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
 2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **Approved Development.** The development of the Real Property approved by the Planning Commission on February 2, 2006 is limited to construct a new two-story, three-unit condominium development with five attached garage spaces totaling 5,010 square feet (gross) on a 6,250 square foot lot and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 5. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the approved Operations and Maintenance Procedure Plan.
 6. **Required Private Covenants.** Prior to the issuance of a Certificate of Occupancy for any residential condominium unit or the sale of any residential condominium unit within the subdivision, whichever comes first, the Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal

easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

- a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, including the private storm drain system and shared sewer laterals, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition and which also provides that such covenants may be enforced by the owners' association in accordance with the requirements of the state Subdivision Sales Law.
- B. **Design Review.** The following is subject to the review and approval of the Architectural Board of Review (ABR):
1. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be directed toward the ground.
 2. **Trash Enclosure Provision.** A trash enclosure with an equal area for recycling containers shall be provided on the Real Property and screened from view from surrounding properties and the street. Such structure shall be located at least five (5) feet from any building unless protected with fire sprinklers.
 3. **Sound wall.** A three foot high wall is required for the Unit 2 balcony as referenced in the Acoustical Analysis report prepared by Davey & Associates dated June 28, 2002.
 4. **Reuse of Sandstone Onsite.** All sandstone that is removed shall be reused onsite.
- C. **Public Works Submittal Prior to Parcel Map Recordation.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to the issuance of a Building permit and prior to processing the recordation of the Parcel Map for the project:

1. **Water Rights Assignment.** Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. This assignment of rights shall not include a right of surface entry on or from the Real Property.
 2. **Parcel Map Approval.** The Parcel Map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act and in conformance with the requirements of the City Survey Control Ordinance for review by staff and approval by Council.
 3. **Public Improvement Plans.** The Owner shall submit building plans for construction of improvements along the subject property road frontage on Wentworth Avenue. As determined by the Public Works Department, the improvements shall include Type 2 residential driveway apron modified to meet Title 24 requirements, apply crack seal to the centerline of the street along entire subject property frontage, connection to City water and sewer mains, two city standard curb drain outlets, removal of stone pine street tree, plant new Fern Pine street tree, preserve and/or reset any existing survey monuments or contractor's stamps, and provide adequate positive drainage from site. The Owner shall submit building plans for construction of improvements at the public alley entrance on Ortega Street. As determined by the Public Works Department, the improvements shall include remove existing public alley entrance and replace with City standard public alley entrance. The Owner shall submit building plans for construction of improvements along the subject property road frontage on Public Alley. As determined by the Public Works Department, the improvements shall include crack seal to centerline of public alley along entire frontage of property. All existing overhead or aboveground utilities and all proposed new utilities that provide exclusive service to the project site shall be placed underground. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed and signed by the City Engineer.
- D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to the issuance of a Building permit for the project:
1. **Recordation of Parcel Map and Agreements.**
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.**
- E. **Building Permit Plan Requirements.** The following requirements shall be incorporated into the construction plans submitted to the Building and Safety Division with applications for building permits. All of these construction requirements shall be carried out in the field and completed prior to the issuance of a Certificate of Occupancy:

1. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

2. **Acoustical Analysis Report.** All construction recommendations and ventilation requirements contained in the Acoustical Analysis report prepared by Davey & Associates dated June 28, 2002 shall be implemented.
3. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out and containers shall be provided on site for that purpose in order to minimize construction-generated waste conveyed to the landfill. Identify on the plans the location of the container(s).
4. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways.
5. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara as shown below:

New Year's Day	January 1 st *
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th *
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 th *

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work at night, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in SBMC § 9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

6. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Streets, Parking, and Transportation Operations Manager.
 - b. Equipment staging and storage of construction materials and equipment within the public right-of-way is prohibited.
7. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
8. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.

9. **Disturbed Soil Stabilization.** After clearing, grading, earth moving and/or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:
 - a. Seeding and watering until grass cover is grown;
 - b. Spreading soil binders;
 - c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind; or
 - d. Other methods approved in advance by the Air Pollution Control District.
10. **Construction Contact Sign.** Immediately after building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number, work hours and site rules to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
11. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
12. **Construction Best Management Practices.** Construction activities shall address water quality through the use of best management practices (BMP's) as approved by the City Building Official.
13. **Conditions on Plans/Signatures.** All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements along subject property frontage (curbs, gutters, sidewalks, etc.), subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist.
2. **Complete Public Improvements.** Public improvements shown on the approved building plans shall be completed according to the approved plans.
3. **Anti-Backflow Device.** Provide an approved anti-backflow device placed on the private property side of consumer's service pursuant to Municipal Code Section 14.20.120 and Public Works Construction Standard Detail 5-009.0. The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.

G. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses and costs of that independent defense.

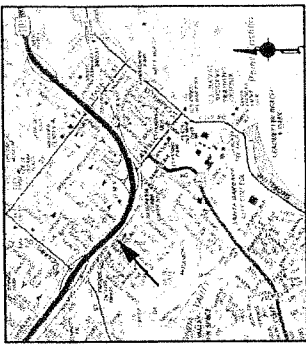
NOTICE OF APPROVAL TIME LIMITS:

The Planning Commission's action approving the Modifications shall terminate one (1) year from the date of the approval, per SBMC 28.87.360, unless:

1. A building permit for the use authorized by the approval is sought within twelve months of the approval. An extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
2. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) one (1) year from granting the approval.
3. The project also includes approval of a Tentative Subdivision Map, in which case the longer approval period shall prevail.

NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

The Planning Commission's action approving the Tentative Subdivision Map shall expire two (2) years from the date of approval, per SBMC Section 28.07.110.a & .b, unless the subdivider requests an extension of time, not to exceed two (2) years beyond the expiration of the original two (2) years expiration date or per the allowances provided in the Subdivision Map Act. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code section 27.07.110 or the provisions of the California Subdivision Map Act.



VICINITY MAP
NOT TO SCALE

PROJECT DATA

PROJECT ADDRESS: 700 WENTWORTH AVENUE

PROJECT OWNER: MR. BERNARD BARRAGAN

DESIGNER: CLIFF HICKMAN

LANDSCAPE DESIGNER: CLIFF HICKMAN

A.P.N. NUMBER: 007-003-000

ZONING: R-1

GENERAL PLAN: 1995 GENERAL PLAN

LOT AREA: 10,000 SQ. FT.

FOOTPRINT AREA: 10,000 SQ. FT.

LANDSCAPE AREA: 10,000 SQ. FT.

PAVED DRIVEWAY AREA: 10,000 SQ. FT.

AVERAGE SLOPE: 10% OPEN AREA

GRAVING: 10% OPEN AREA

CONDO #1 AREA: 10% OPEN AREA

CONDO #2 AREA: 10% OPEN AREA

CONDO #3 AREA: 10% OPEN AREA

CONDO #4 AREA: 10% OPEN AREA

AREA TOTALS: 10% OPEN AREA

(S) LOT COVERAGE: 10% OPEN AREA

CODE COMPLIANCE: 10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

10% OPEN AREA

SCOPE OF PROJECT

REMOVAL & RECONSTRUCTION OF EXISTING BUILDING

CONSTRUCTION OF NEW 3-UNIT CONDOMINIUM

CONSTRUCTION OF (S) DRIVEWAY

CONSTRUCTION OF (S) DRIVEWAY

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4- SECOND FLOOR PLAN

5- ROUTE & BAY ELEVATIONS

6- NORTH & WEST ELEVATIONS

7- SECTIONS

8- LANDSCAPE PLAN

PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"

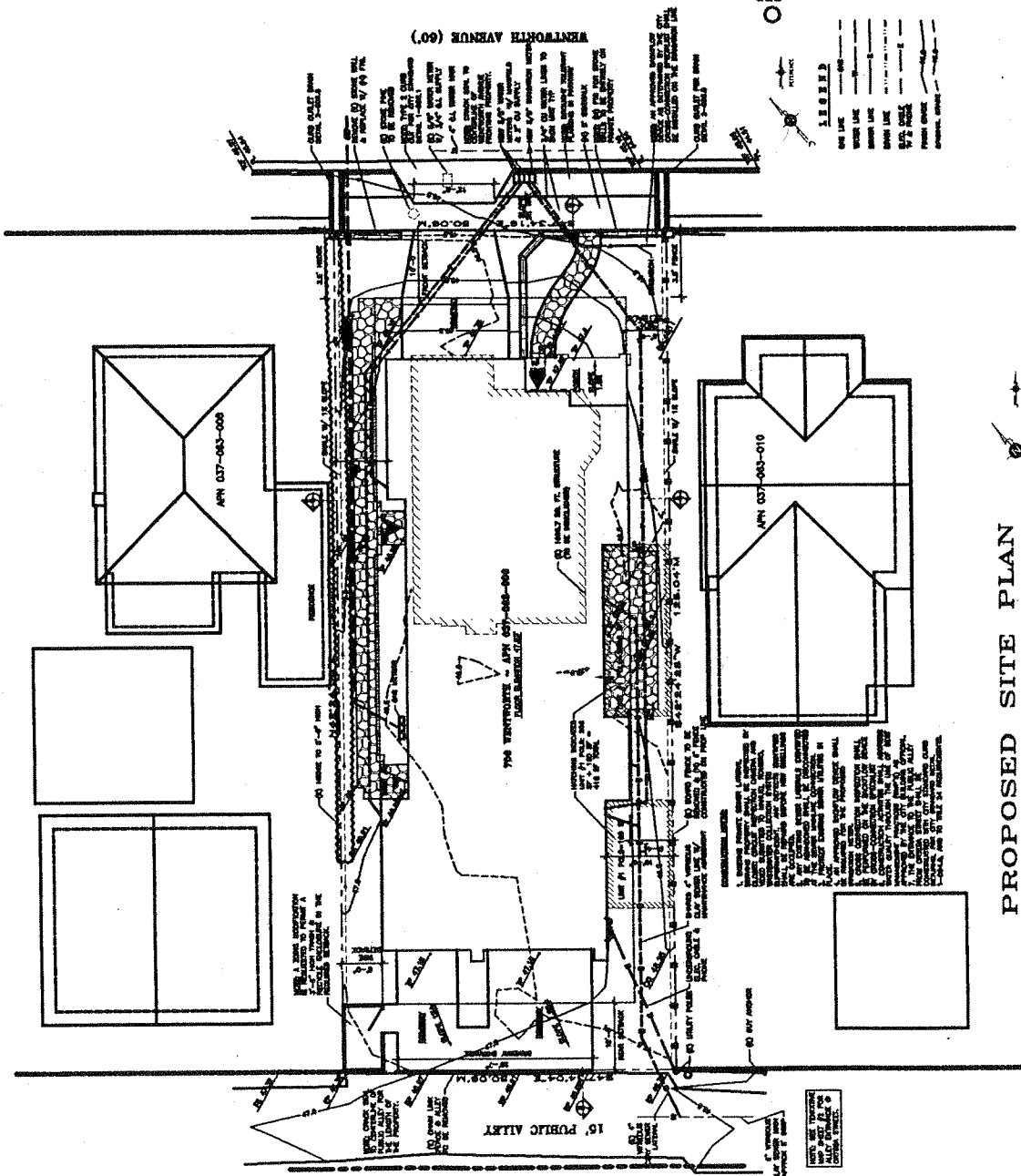


EXHIBIT B

November 16, 2005

RECEIVED

NOV 21 2005

Planning Commission
City of Santa Barbara

CITY OF SANTA BARBARA
PLANNING DIVISION

We are requesting Planning Commission approval for the construction of a 3-unit condominium at 709 Wentworth Avenue.

We have followed the suggestions made by the Pre-Application Review Team by reducing the scale of the building, changing the style from Spanish to Craftsman, eliminating the basement, increasing the distance from the alley to 18 feet, reducing the Wentworth driveway width to 12 feet and eliminating a parking space in the setback.

Our last concept review with the Architectural Board of Review meeting was September 13, 2004. A Zoning Modification is requested for the trash and recycling enclosure in the required setback along the alley. This is a logical and convenient location for use by all three units and is next to the rear alley where it is also convenient for pickup. This location was tentatively approved by the Architectural Board of Review.

The owner's grandparents purchased the property at 709 Wentworth during the 1920's and it has remained in the family ever since. Mr. Barragan, whose father lives nearby, spent much of his childhood there and has returned to his old neighborhood where he is currently living in his grandfather's bungalow which still remains on the property. When the condominium project is completed it is his intention to occupy one of the units with family members occupying the remaining two.

The entrances to all three units are accessible from Wentworth Ave; parking for two of the units is accessed from the alley. Each unit is designed to have direct access from its own attached garage for safety and convenience. Although the property is located in a high noise area, freeway noise is mitigated by the pedestrian bridge. The project is compatible with the neighborhood and will have a positive impact.

The lot area is 6250 SF with a footprint/lot area ratio of 47%. Two significant trees are to be removed, an 18" stone pine in the front sidewalk area and an 8" avocado tree in the back yard. The drainage is from the back alley towards Wentworth at a little over 1% grade. All five required parking spaces are covered, and there is 2537 SF landscape area including paths, trash and a patio. About 50 yards of dirt will need to be imported to fill up the old cellar. The property and surrounding land are in the R-3 residential zone and designated in the General Plan as 12 units per acre.

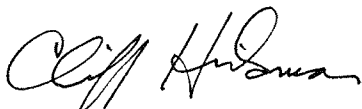
The existing bungalow (1008 SF.) and shed (182 SF) are to be demolished. The square foot floor areas of the new 3-unit condo are shown in the following table:

		Net Areas	Gross Areas
Condo #1	Heated Area	1318.1	1389.7
	Storage	33.4	36.9
	Garage	<u>419.9</u>	<u>448.8</u>
	Total All	1771.4	1875.4
Condo #2	Heated Area Up	1326.4	1406.5
	Heated Area Dn	<u>39.8</u>	<u>45.2</u>
	Total Heated Area	1366.2	1451.7
	Storage	67.2	72.6
	Garage	<u>400.8</u>	<u>430.8</u>
	Total All	1834.2	1955.1
Condo #3	Heated Area Up	746.9	802.7
	Heated Area Dn	<u>69.6</u>	<u>80.8</u>
	Total Heated Area	816.5	883.5
	Storage	34.0	40.2
	Garage	<u>237.4</u>	<u>256.0</u>
	Total All	1087.9	1179.7
Area Totals	Total Heated	3500.8	3724.9
	Total Garage	1058.1	1135.6
	Total Storage	<u>136.4</u>	<u>149.7</u>
	Total Enclosed	4695.3	5010.2

The only exterior lighting is that required by code at each exit. Each unit has a fireplace with the potential of smoke from wood-burning fires, and there is also some potential for more noise due to the increased number of residents on the property. No use or disposal of hazardous materials will be involved, nor is there any know contamination on the site from hazardous materials. Geotechnical and resource or constraint studies have not yet been prepared, and there are no recreational trails or easements traversing the site.

Demolition and grading should be completed in a matter of a few days time, and construction should be completed in about nine month's time. The amount of equipment and workers necessary to complete the project would be up the general contractor, but would be typical of that required to build a single family residence. No staging area is necessary other than the front and rear yards.

Yours truly,



Cliff Hickman, agent for Mr. Barnard Barragan, owner.

- Motion: Continued indefinitely to the Consent Calendar with the following comments: 1) The project is ready for preliminary approval. 2) The support posts for the balcony should be recessed back into the hill in order to distance the new construction further back away from the steeper portion of the site.
- Action: Six/Manson-Hing, 7/0/0.

CONCEPT REVIEW - CONTINUED ITEM**10. 514 W VICTORIA ST**

R-3 Zone

Assessor's Parcel Number: 039-103-007
Application Number: MST2004-00380
Owner: Jose Rosario Pinedo
Designer: Al Winsor

(Proposal to construct a 1,889 square foot two-story residential unit addition with a 400 square foot 2-car garage to connect to an existing 1,430 square foot single family residence to create a duplex on a 6,500 square foot lot. The existing 2-car garage will remain.)

(Second Concept Review)

COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT.)

(7:46)

Al Winsor, Designer, present.

- Motion: Continued indefinitely with the following comments: 1) Applicant is to work with the Transportation Department to study minimizing the driveway width to increase the landscape area along the property line. 2) Restudy the transition between the cantilevered deck and the gable roof form. 3) Reduce the depth of the balcony to 4 1/2 to 5 feet and introduce supporting structural elements such as braces. 4) Provide landscaping along the west property line. 5) Restudy the eaves to extend them out to emulate the existing house. 6) Restudy the west elevation to add architectural elements and punctuate the eave line. 7) Provide a small roof overhang over the side door and provide more variation to the west elevation.
- Action: Six/Christoff, 7/0/0.

CONCEPT REVIEW - CONTINUED ITEM**11. 709 WENTWORTH AVE**

R-3 Zone

Assessor's Parcel Number: 037-063-009
Application Number: MST2004-00526
Owner: Luigi Bonazzola
Designer: Cliff Hickman

(Proposal to demolish an existing 1,009 square foot single family residence and construct a two-story 3,529 square foot three unit condominium project with five attached garage spaces on a 6,250 square foot lot. A zoning modification is requested for the trash enclosure to encroach into the required rear and interior yard setbacks.)

(Second Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, PLANNING COMMISSION APPROVAL FOR A TENTATIVE SUBDIVISION MAP AND A MODIFICATION.)

(8:05)

Bernardo Barragan, Owner; and Cliff Hickman, Designer, present.

- Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The Board finds that the applicant has largely addressed the Board's concerns for size, bulk and scale. The project has been articulated per the Board's request, particularly with roof manipulations and window treatments on the side elevations. 2) The Board is still concerned with the extensive balcony overhang at the rear of the building at the alley; which requires reduction and traditional detailed support elements. 3) The Board prefers the option to bring the front porch out and away from the garage to make it a more dominant element on the front elevation. 4) The Board will be looking to see the roof line over the garage to be brought down in height to minimize its importance to the front elevation. 5) Restudy the roof line at the porch in its intersection with the deck on the second floor to bring the juncture of the hip to the juncture to the proposed deck corner. 6) The Board looks forward to the front windows and doors to be wood clad or higher quality. 7) The Board accepts the use of vinyl windows along the remaining elevations. 8) The Board appreciates the applicant's value concern for the existing front site wall and the reuse of the stones in a new configuration. 9) The Board understands that the stone work will continue on the western side of the driveway.
- Action: Six/Christoff, 7/0/0.

CONSENT CALENDAR

CONTINUED ITEM

A. **745 ALAMEDA PADRE SERRA**

E-1 Zone

Assessor's Parcel Number: 031-141-004
Application Number: MST2001-00730
Owner: Elliott Richard Mahlon
Architect: Richard Johnson

(Proposal for a 340 square foot addition to the lower level of residence, a 204 square foot deck repair and 300 square foot deck addition, a 580 square foot patio, a new five foot high stucco wall at rear property line, and new roof to match existing. There is an existing residence on site with a two-car garage located in the Hillside Design District.)

(PROJECT REQUIRES NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS.)

(Preliminary Review is requested.)

Final approval as submitted with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.68.060 of the City of Santa Barbara Municipal Code.

FINAL REVIEW

B. **637 E MICHELTORENA ST**

R-2 Zone

Assessor's Parcel Number: 029-041-005
Application Number: MST2001-00791
Owner: Charles & Sylvia Butler
Architect: Garcia Architects

(This is a revised project. The proposed project involves a proposal to construct two detached residential condominium units on a 16,932 square foot lot. Unit A is a two-story, four-bedroom unit of 3,126 square feet. Unit B is a three-story, three-bedroom unit of 2,968 square feet. Each unit includes a two-car garage. The proposal includes the demolition of an existing two-story duplex. The El Encanto Debris Basin is located on a portion of the parcel. The property owner will grant an easement to the County Flood Control District. Debris Basin improvements, currently being proposed by the County Flood Control District and the City Public Works Department, are not a part of this application.)

(Final Review of the project is requested. Preliminary approval of the grading and demolition plans was granted on May 10, 2004 and the project on May 24, 2004.)

Final approval as noted on sheet SD1 of the plans.

CONCEPT REVIEW - NEW ITEM**8. 155 CEDAR LN**

E-1 Zone

Assessor's Parcel Number: 015-083-027
Application Number: MST2004-00502
Agent: Gary Myers
Owner: William Pritchett Trust
Applicant: William Pritchett
Architect: Jerald Bell

(Proposal to construct a 3,740 square foot two-story single family residence with an attached 500 square foot garage on a 15,880 square foot lot located in the Hillside Design District.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS.)**(7:12)**

William Pritchett, Owner, present.

Public comment opened at 7:20 p.m.

Karl Eberhard, representing Mr. and Mrs. Noel, stated that it is difficult to evaluate the proposal since there is a lack of topographical information. He also stated that the mass of the home is quite large and will create privacy issues. Mr. Eberhard stated that the Noel's would prefer to see the massing moved to the west of the property as much as possible and the plate heights and the floor plan revised to be more consistent with the Hillside development. Mr. Eberhard also requested that story poles be erected.

Emily Nichols, neighbor, stated her concern that the size of the project is too large and that the traffic the project will create is not in keeping with the neighborhood. She also stated that ownership has changed hands.

Ann Wilkinson, neighbor, stated that the project will impact the value of her home due to the view being compromised and that the project is too close to her property.

Public comment closed at 7:32 p.m.

Motion: Continued one week with the following comments: 1) Return with photo documentation of the adjacent properties. 2) Return with topography plans. 3) The Board is to drive-by the site prior to the next scheduled meeting in order to further study the site.

Action: Six/Eichelberger, 5/0/0.

CONCEPT REVIEW - NEW ITEM**9. 709 WENTWORTH AVE**

R-3 Zone

Assessor's Parcel Number: 037-063-009
Application Number: MST2004-00526
Owner: Luigi Bonazzola

(Proposal to demolish an existing 1,009 square foot single family residence and construct a two-story 3,529 square foot three unit condominium project with five attached garage spaces on a 6,250 square foot lot. A zoning modification is requested for the trash enclosure to encroach into the required rear and interior yard setbacks.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, PLANNING COMMISSION APPROVAL FOR A TENTATIVE SUBDIVISION MAP AND A MODIFICATION.)

(7:41)

Cliff Hickman, Designer; Bernie Barragan, Owner; and Lansing Duncan, Landscape Designer, present.

Motion: Continued indefinitely with the following comments: 1) Study the project to reduce the "boxiness" of the architecture. 2) Relieve the side elevations by finding areas to manipulate the roof forms and manipulate the continuous ridge. 3) Make significant alterations to the Wentworth Avenue elevations to assure that the porch element is more prominent than the garage face in order to maintain the bungalow charm of the original project.

Action: Six/LeCron, 4/1/0. Eichelberger opposed.

CONCEPT REVIEW - NEW ITEM

10. **1137 HARBOR HILLS LN**

E-1 Zone

Assessor's Parcel Number: 035-314-011
Application Number: MST2004-00531
Owner: Harlow Douglas A
Architect: Pacific Architects
Applicant: Pacific Architects

(Proposal to construct a 2,388 square foot addition to an existing 2,103 square foot two-story single family residence and add 140 square feet to the existing 548 square foot attached garage. The proposal also includes a 618 square foot deck addition. The project will result in a 5,179 square foot, two-story single family residence on a 27,778 square foot lot located in the Hillside Design District.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS.)

(8:03)

Bill Wolf, Architect, present.

Public comment opened at 8:10 p.m.

Laura Rasmussen, neighbor, stated her concern that the project needs to have geological and drainage studies conducted that will assure the stability of the hillside. She stated that her home is approximately 100 feet on the steep slope south of the project and is concerned about sliding issues.

Susan Trescher, President of the La Mesa Neighborhood Association, stated that she would like to avoid a situation similar to the San Clemente project. She requests that a geological, hydrological, and structural engineering data report be conducted prior to approval of the project.

Public comment closed at 8:18 p.m.

Motion: Continued indefinitely with the following comments: 1) Reduce the massing and size of the addition. 2) Study significantly reducing the program and/or the apparent bulk of the building. 3) Study options to step the building back using Hillside Design Guidelines 4) Study ways to better integrate the new architecture with the existing.

Action: Six/Eichelberger, 5/0/0.

ABR Comments from May 13, 2002 under MST 2001-00790.

(First Concept Review)

(COMMENTS ONLY, PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP.)

Cliff Hickman, Architect, Lancing Duncan, Planning Consultant, and Bernard Barragan Jr., future owner, present.

Public comment opened at 5:58 p.m.

Mauro Casarez, 531 West Ortega, was in favor of the project. Public comment closed at 5:59 p.m.

Motion: One week continuance with the following comments: 1) The Board is to conduct a site visit. 2) Study pulling the porch on the north elevation forward. 3) Study options to modulate the second floor roof and eave. 4) Allow some of the two-story vertical wall elements to be exposed on the west elevation. 5) Extend the wall. 6) The interior positioned window mullions are not acceptable. 7) Include some additional columnar trees along the side yards.

Action: Gradin/Eichelberger, 7/0/0.

ABR Comments from May 28, 2002 under MST 2001-00790.

(Second Concept Review)

(COMMENTS ONLY, PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP.)

Cliff Hickman, Architect, and Bernard Barragan Jr., future owner, present.

Motion: Indefinite continuance to the Planning Commission with the following comments: 1) The Board is comfortable with the style as presented, i.e., shingles above, bevels siding below, wooden trim elements, general simplicity of the front porch that addresses the street. 2) The Board is uncomfortable with the massing and is particularly concerned with the east and west elevations, but is sensitive to what the Planning Commission would be looking at in terms of density with this the neighborhood, which has a direct relation to massing. 3) The Board recognizes that the best neighborhood examples are similar to the proposed style of architecture, but however involve one-story buildings facing the street, porches, and no garage. 4) The Board is concerned about the changing visual aesthetics of the neighborhood with a garage that faces Wentworth Avenue, but recognizes that has a severe impact on how the applicant could develop the site and its density. 5) The widest part of the proposed building appears to right on Wentworth Avenue, which changes the rhythm of the neighborhood. 6) The native stone wall in the front is reused and preserved. 7) There is ample space on the east and west side for small canopy trees.

Action: Six/Larson, 7/0/0.

Davy

& Associates, Inc.
Consultants in Acoustics

2627 Manhattan Beach Blvd., Suite 212 • Redondo Beach, CA 90278-1604 • Tel: 310-643-5161 • Fax: 310-643-5364 • Email: DavyAssoc@aol.com

JN2002-55
MR197

ACOUSTICAL ANALYSIS

709 Wentworth Avenue
Santa Barbara, California

FOR

Cliff Hickman
Santa Barbara, California

June, 2002

EXHIBIT E

1.0 Introduction

At the direction of **Cliff Hickman, Davy & Associates, Inc.** has completed an acoustical analysis of 709 Wentworth Avenue in Santa Barbara, California.

The California Administrative Code (Title 24) as enforced by the City of Santa Barbara specifies maximum allowable interior noise levels of CNEL 45 for all habitable spaces in residential buildings where exterior noise from transportation sources exceeds CNEL 60. Noise levels in all habitable rooms will be less than CNEL 45 for the project with the mitigation recommended in Section 4.0 of this report.

Section 2.0 of this report contains the results of measurements and calculations of the future exterior noise environment at the site to determine compliance with these requirements.

Section 3.0 of this report discusses railroad noise impacts.

Section 4.0 contains the assumptions for the interior noise level projections.

Section 5.0 of this report contains the requirements of the State Building Code concerning ventilation.

Section 6.0 discusses the analysis of the City's requirement of noise levels in exterior areas.

2.0 Exterior and Future Acoustical Environment

Environmental noise levels were monitored on the north property line of the site on May 31, 2002 between the hours of 3:00 p.m. and 3:30 p.m. The location of the site is shown in Figure 1.

Noise levels at the site are dominated by freeway traffic on Route 101 to the north. There is also a railroad north of the site. No other significant sources of noise were noted during the site visit.

Environmental noise levels were measured with a precision integrating LD 820 sound level meter that had been calibrated with a B&K 4230 Acoustical Calibrator immediately prior to use. The sound level meter measures and displays the equivalent noise level (LEQ), as well as the maximum and the minimum noise levels during the measurement period. A copy of the analysis of the acoustical data is attached to this report.

The data thus collected were analyzed to determine the CNEL level at the measurement location. The CNEL value was determined by measuring the equivalent noise level (LEQ) directly, and then calculating the equivalent noise level for each of the other 23 hours in the day.¹ This CNEL approach has been utilized extensively. The accuracy of this procedure has been established with automatic 24-hour measurements at the same location. The procedure has always been within acceptable accuracy limits. The results of the monitoring and calculations are summarized below in Table 1.

Table 1.

Measured Ambient Noise Levels in dB

<u>Location</u>	<u>Peak Hour LEQ</u>	<u>CNEL</u>
N. Property Line	64.5 dB	66.5 dB

¹ See, for example, "Insulation of Buildings Against Highway Noise," Bruce Davy and Steven Skale, Federal Highway Administration FHWA-TS-77-202.

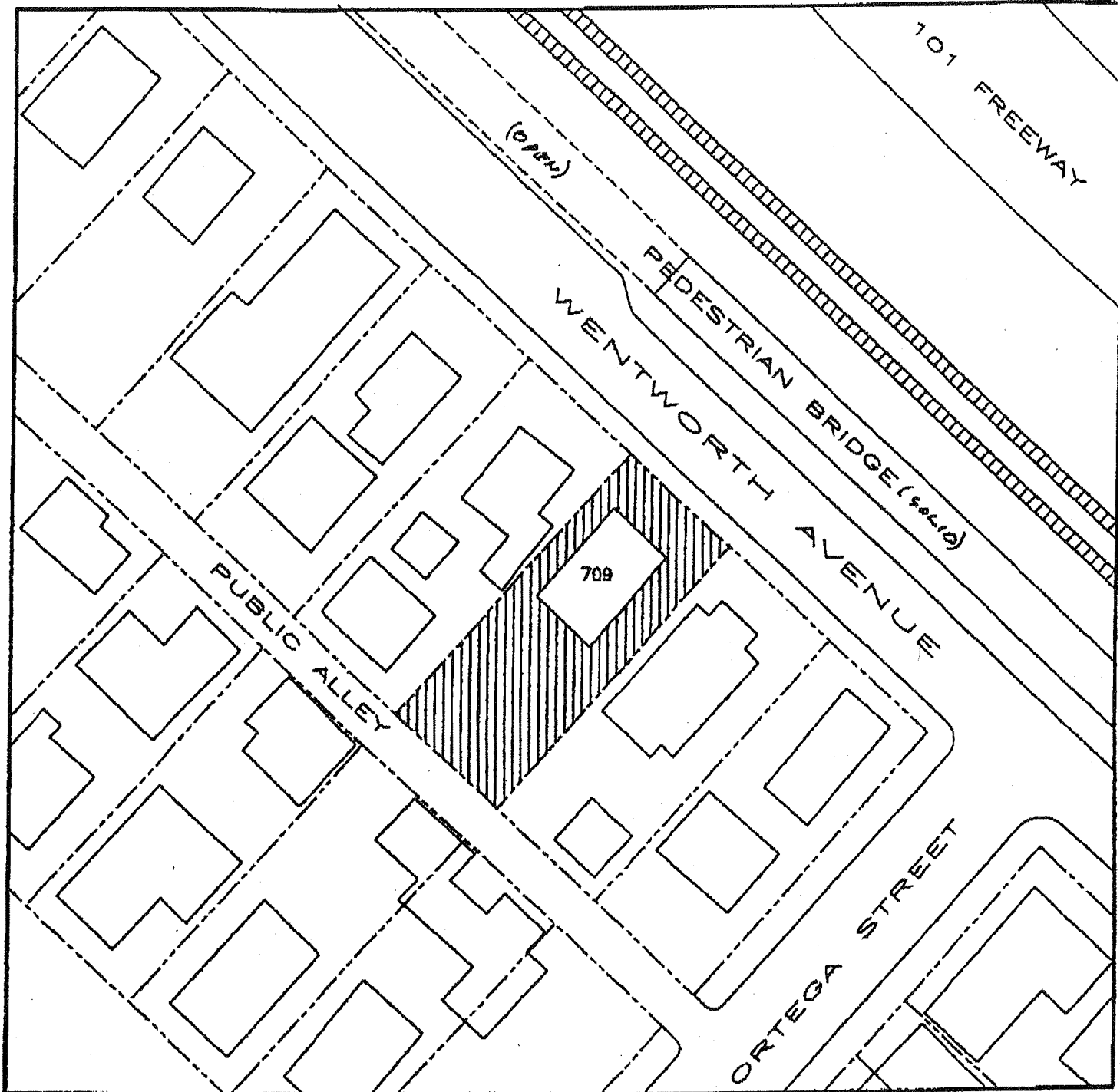


Figure 1. Site Location

Section 3501.(c) of the State Building Code states the following:

Worst-case noise levels either existing or future, shall be used as the basis for determining compliance with this Section. Future noise levels shall be predicted for period of at least 10 years from the time of building permit application.

CALTRANS, Division of Traffic Operations publishes an annual traffic volume book that contains previous traffic trends. The 2000 traffic volumes on the California State Highway System Book (the latest edition available) lists an average annual increase of 2.2% per year in annual traffic volumes for the years 1994 through 1999. Assuming that this annual growth of 2.2% would hold for this site, it was projected that traffic volumes would increase by a factor 1.24 by the year 2012. This traffic volume increase over the next 10 years would result in a 0.9 dB traffic noise increase. Therefore, the projected future year noise levels would increase to CNEL 67.4 due to traffic noise sources.

Table 2

2012 Exterior Noise Levels in dB

<u>Location</u>	<u>CNEL</u>
N. Property Line	67.4 dB

With an exterior noise level of CNEL 67.4, the building must provide an A-weighted noise reduction value of at least 22.4 dB to achieve an interior CNEL 45 value.

Standard construction consisting of 2x4 studs with R-11 insulation, exterior stucco, interior gypboard, and standard glazing provides a minimum A-weighted noise reduction of 20 dB.

If all north facing windows and glass doors are glazed with STC 32 glazing, the A-Weighted noise reduction of the Building will increase to approximately 30 dB.

This means that with the use of standard construction and STC 32 glazing in all north facing windows and glass doors interior noise levels should not exceed CNEL 45. Therefore, the Building will comply with the California Noise Insulation Standards as enforced by the City of Santa Barbara.

The STC 32 rating can be provided with either dual glazing with a 1/2" air space or 1/4" laminated glass. In either case, the glazing supplier should submit test reports documenting the minimum STC rating for the complete glazing assembly. The test report should be done in an independent, accredited testing laboratory in accordance with ASTM E-90.

3.0 Railroad Noise Impact

During the site visit, noise levels were measured at the north property line during an Amtrak train pass-by. Information from Amtrak was obtained on the train schedule. Information was also obtained on the number of freight trains that utilize this railroad line. Both maximum (LMAX) and CNEL values were calculated for Amtrak trains and freight trains. The results of these calculations are summarized in Table 3 at a distance of 120 feet from the railroad.

Table 3

Calculated Maximum (LMAX) and CNEL Train Noise Levels

<u>Location</u>	<u>Amtrak Trains</u>		<u>Freight Trains</u>	
	<u>LMAX</u>	<u>CNEL</u>	<u>LMAX</u>	<u>CNEL</u>
120 feet	75dBA	41 dBA	85dBA	64 dBA

The general population varies with respect to their reaction to maximum interior noise levels during nighttime hours. The higher the interior noise level, the greater percentage of the general population will be awakened. A summary of a sleep disturbance study that was conducted by the California State Department of Health indicated that the following percentages of people would be awakened as a function of maximum noise level.

<u>LMAX</u>	<u>Percent Awaken</u>
75 dBA	30%
65	20
55	10

If STC 32 glazing is utilized in all north facing windows and glass doors as discussed above, maximum noise levels from the Amtrak trains will be approximately 45 dBA. This should be reasonably acceptable for most people.

With the use of STC 32 glazing, the interior noise level during freight train pass-bys will be in the 55 dBA range. This means that approximately 10% of the general population may be awakened and people sensitive to noise may be annoyed.

4.0 Construction Recommendations

- 4.1 Roof ceiling construction will be roofing on 1/2" plywood. Batt insulation will be installed in joist spaces. The ceilings will be one layer of 5/8" gypboard nailed direct.
- 4.2 All exterior walls will be 2x4 studs 16" o.c. with Batt insulation in the stud spaces. Exteriors will be exterior plaster or stucco. The interiors will be 5/8" gypboard.
- 4.3 All north-facing windows and glass doors will be glazed with STC 32 glazing. The STC 32 rating can be provided with either dual glazing with a 1/2" air space or 1/4" laminated glass. In either case, the glazing supplier should submit test reports documenting the minimum STC rating for the complete glazing assembly. The test report should be done in an independent, accredited testing laboratory in accordance with ASTM E-90.
- 4.4 All other windows and glass doors may be standard glazing.
- 4.5 All entry doors should be 1-3/4" solid core flush wood doors with vinyl bulb weatherstripping on the sides and top. Panel doors with panels less than 1-3/4" should not be accepted. Glazing in entry doors should not be accepted.
- 4.6 There should be no mail slots in the entry doors.
- 4.7 Any optical viewing devices installed in the entry doors should be the same thickness as the doors. The holes for these devices should be sized so that there is not more than 1/16" clearance between the device and the door. The viewing device should be installed in a film of non-hardening sealant that completely fills the clearance between the device and the door. Acceptable sealants are 1) G. E. Silicone; 2) U.S. Gypsum Acoustical Sealant; 3) Tremco Acoustical Sealant or approved equal.
- 4.8 There should be no ventilation openings in the exterior walls or roof/ceilings without approved acoustical baffles.

5.0 Ventilation Requirements

The California Noise Insulation Standards (Title 24) states the following paragraph concerning ventilation:

"If interior allowable noise levels are met by requiring that windows be unopenable or closed, the design for the structure must also specify a ventilation or air-conditioning system to provide a habitable interior environment. The ventilation system must not compromise the dwelling unit or guest room noise reduction."

With windows open, typical noise reduction values will be in the 12 dB range. This means that a ventilation system must be provided for all habitable rooms. This can normally be supplied with an FAU (forced air unit) with a summer switch. Outside air intake must be in compliance with Section 12.03.3 of the 1997 edition of the Uniform Building Code states the following:

"In lieu of required exterior openings for natural ventilation, a mechanical ventilation system may be provided. Such system shall be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms and in public corridors with a minimum of 15 cfm (cubic feet per minute) of outside air per occupant during such time as the building is occupied."

Since our calculations were based on windows and doors being closed, you will have to comply with these requirements. We recommend that the following note be added to your plans to address the issue of ventilation requirements.

Mechanical ventilation will be provided by forced air units. A minimum of 15 cfm of outside air intake will be supplied per occupant in accordance with Section 1203.3 of the 1997 edition of the UBC.

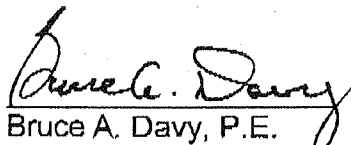
6.0 Exterior Living Area Requirements

The City of Santa Barbara has established criteria for exterior living space. Noise Levels in exterior living space cannot exceed CNEL 60. To determine compliance with this requirement, a barrier shielding analysis was completed for 2nd Floor Balcony at the north east corner of the Building.

An analysis of the shielding effectiveness of the 3 foot high wall around this Balcony was completed. The calculated attenuation value is summarized as follows:

<u>Location</u>	<u>Attenuation</u>
2 nd Floor Balcony	8 dB

Based on the noise monitoring that indicated a CNEL 67 value from Rt. 101 and a CNEL 64 value from the railroad This 2nd floor Balcony will be exposed to noise levels in the CNEL 56 range. Therefore, the Balcony will comply with the requirements of the City of Santa Barbara.



Bruce A. Davy, P.E.
Davy & Associates, Inc.
I.N.C.E. Board Certified

SITE MONITORING NOISE ANALYSIS

JN 2002-54
MR197

PROJECT: 709 WENTWORTH AVENUE

LOCATION: NORTH BUILDING LINE

TEST DATE: MAY 31, 2002

START TIME: 3:00 P.M.

END TIME: 3:30 P.M.

EQUIPMENT USED: LD 820 SLM
1/2" RANDOM INCIDENCE MIC
WINDSCREEN
B&K 4230 CALIBRATOR
TRIPOD
WIND SPEED INDICATOR
MICRONTA THERMOMETER/HYGROMETER

TEMPERATURE: 72^of

RELATIVE HUMIDITY: 55%

WIND: 0-2 mph

LEQ:	64.5	L90:	60.1
LMAX:	79.1	L50:	61.9
LMIN:	57.3	L25:	63.0
CNEL:	66.5	L8:	66.0
LDN:	66.5	L2:	73.8
		L1:	75.1

**DAVY
& ASSOCIATES, INC.**
Consultants in Acoustics

Davy

& Associates, Inc.
Consultants in Acoustics

2627 Manhattan Beach Blvd., Suite 212 • Redondo Beach, CA 90278-1604 • Tel: 310-643-5161 • Fax: 310-643-5364 • Email: DavyAssoc@aol.com

JN2002-55
MR197

June 28, 2002

RECEIVED

JUN 27 2005

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Mr. Cliff Hickman
P.O. Box 4354
Santa Barbara, CA 93140

SUBJECT: ACOUSTICAL ANALYSIS
709 Wentworth Avenue, Santa Barbara

Dear Cliff:

Enclosed are copies of our acoustical analysis for the 709 Wentworth Avenue site in Santa Barbara, California.

The results of the monitoring indicate that the project will comply with the requirements of the City of Santa Barbara with all north facing windows and glass doors glazed with STC 32 glazing.

The STC 32 rating can be provided with either dual glazing with a 1/2" air space or 1/4" laminated glass. In either case, the glazing supplier should submit test reports documenting the minimum STC rating for the complete glazing assembly. The test report should be done in an independent, accredited testing laboratory in accordance with ASTM E-90.

It is recommended that you disclose the railroad line to perspective buyers.

The analysis we have completed is intended only to satisfy the environmental requirements of the plan check agency. We assume no responsibility for details of construction or final noise levels following completion of the proposed project. We are responsible only for the accuracy of our calculations. No other guarantees or assurances are given or implied.

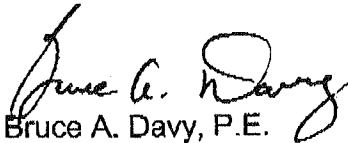
Mr. Cliff Hickman

June 28, 2002
Page Two

If you have any questions concerning the enclosed report, please call me. It has been a pleasure working with you on this project.

Sincerely,

DAVY & ASSOCIATES, INC.

A handwritten signature in cursive script, appearing to read "Bruce A. Davy".

Bruce A. Davy, P.E.
President

BD/jr

Enclosure